

§ 17.212

38 CFR Ch. I (7–1–99 Edition)

[45 FR 38357, June 9, 1980, as amended at 48 FR 1490, Jan. 13, 1983; 52 FR 23826, 23829, June 25, 1987; 56 FR 20353, May 3, 1991. Redesignated at 61 FR 21966, May 13, 1996]

§ 17.212 Scope of grants program.

(a) Subject to the availability of an appropriation, a grant may be made to a State which has submitted an application for assistance to construct (or to acquire) State home facilities (if the application has been approved by the Secretary) as prescribed in 38 U.S.C. 8131 through 8137 and §§ 17.210 through 17.216.

(b) The Department of Veterans Affairs may offer a State a grant which is less than the amount of the grant requested subject to the State's provision of assurance that adequate financial support will be available for the project and for its maintenance, repair, and operation when complete. If VA offers a grant to a State for less than the amount requested and the State refuses to accept it, these Federal funds will be applied to other applications which have met all Federal requirements in the order of their priority on the list which was established by the Secretary under § 17.213(d) of this part for that fiscal year.

(c) If a State accepts the grant for less than the amount requested, the State may request that its application for additional funds be ranked on the next priority list for additional Federal funds.

(d)(1) Notwithstanding paragraph (c) of this section and the provisions for ranking projects within a priority group in § 17.213(c)(3)(i), the Secretary shall give an application first priority within the priority group to which it is assigned on the list of projects established under § 17.213(d) for the next fiscal year if:

(i) The State has accepted a grant for that application as of August 15 of the current fiscal year that is less than the amount that the Secretary would have awarded if VA had sufficient grant funds to award the grant in such amount in that fiscal year; and

(ii) The application is the lowest ranking application on the priority list for the current fiscal year for which grant funds are available as of August 15 of that year.

(2) The Secretary shall not require a State to submit a second grant application for a project which receives priority under paragraph (d)(1) of this section but may require the State to update information already submitted in the application for the project. The Secretary shall determine the amount of a second grant at the time of the award of that grant. In no case shall the total amount awarded for the application exceed 65 percent of the total cost of the project as determined at the time of the second grant award for that grant application.

(Authority: 38 U.S.C. 8135(b))

[52 FR 23826, June 25, 1987, as amended at 56 FR 20354, May 3, 1991. Redesignated and amended at 61 FR 21966, 21968, May 13, 1996; 62 FR 60783, Nov. 13, 1997]

§ 17.213 Applications with respect to projects.

(a) A State desiring to receive Federal assistance for construction or acquisition of a State home facility shall submit to the Secretary a preapplication (if the need for Federal funding exceeds \$100,000) and an application for such assistance in compliance with the uniform requirements for grant-in-aid to State and local governments prescribed in the Office of Management and Budget Circular No. A-102, Revised. The applicant will submit as part of the application or as an attachment thereto:

(1) The amount of the grant requested with respect to such project which may not exceed 65 percent of the estimated cost of construction or acquisition and construction of such project.

(2) A description of the site for such project.

(3) Plans and specifications as required by 38 U.S.C. 8135 and 38 CFR 17.210 through 17.216.

(4) Any comments or recommendations made by appropriate State (and areawide) clearinghouses pursuant to policies outlined in Executive Order 12372, Intergovernmental Review of Federal Programs (part 40 of this chapter).

(5) The State application for Federal assistance shall include environmental documentation for the project by submitting a Categorical Exclusion (CE),